

AN ORDINANCE approving the awarding of Reference #1435 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and KELLEY CHEVROLET, INC. for Community & Economic Development.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #1435 between the City of Fort Wayne, by and through its Department of Purchasing and KELLEY CHEVROLET, INC. for Community & Economic Development, respectfully for:

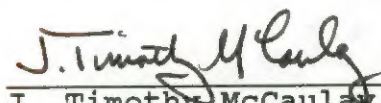
the purchase of a pick-up truck for Community & Economic Development;

involving a total cost of Ten Thousand Nine Hundred Two and 38/100 Dollars (\$10,902.38), all as more particularly set forth in said Reference #1435 which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.


Councilmember

APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCaulay, City Attorney

REF. NO.: 1435
DEPT.: C & E D
DATE: 11/29/90
ITEM/SERV.: PICK UP TRUCK

PURCHASING INFORMATION

ADVERTISED BID: YES
DATES ADVERTISED: 10/15/90 & 10/22/90
OPENING DATE: 11/15/90

WRITTEN QUOTE:

DUE DATE:

VERBAL QUOTE:

SINGLE SOURCE:

NO. OF VENDORS NOTIFIED: 9

NO. OF VENDORS RECEIVING BID: 5

NO. OF VENDORS RETURNING BID: 1

NO. OF VENDORS DISQUALIFIED: 0

NO. OF VENDORS NOT RESPONDING: 8

DATE SENT TO DEPT FOR RECOMM.: 11/15/90

DATE RECOMMENDATION REC'D IN PURCH: 11/29/90

COUNCIL INFORMATION DATES SENT EXTENSION DATES

DATE INFO SENT TO LAW DEPT.: 11/29/90

INTRODUCTION DATE: 12/11/90

DISCUSSION DATE: 12/18/90

PASSAGE DATE: 12/18/90

ORDINANCE NO.:

REFERENCE NO. 1435
PICK-UP TRUCK
COMMUNITY & ECONOMIC DEVELOPMENT

DESCRIPTION KELLY CHEVROLET

1991
MAKE CHEVROLET
MODEL 1500 1/2 TON
COST PER TRUCK \$11,602.38
LESS DISCOUNT \$700.00
TOTAL \$10,902.38
DELIVERY TIME ARO 6-8 WEEKS
VALIDITY OF PRICE 60 DAYS

1990
MAKE CHEVROLET
MODEL 1500 WT
COST PER TRUCK \$11,800.75
LESS DISCOUNT \$1,219.75
TOTAL \$10,581.00
DELIVERY TIME ARO IMMEDIATELY
VALIDITY OF PRICE UNTIL UNIT IS SOLD

FRONT PAGE/INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
PHONE 219-427-1101

BID OPENING DATE 11-15-90 @ 11:00 AM BID REFERENCE # 1435

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER".

THIS INVITATION FOR BID IS FOR ONE (1) NEW 1991 ONE-HALF (1/2)
TON, REGULAR CAB, 2-WD PICK-UP TRUCK PER SPECIFICATIONS

AND REQUESTED BY COMMUNITY & ECONOMIC DEVELOPMENT

THIS BID REQUIRES A XXXXX 5% BID BOND, CERTIFIED OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: _____%
IF PAID WITHIN _____ DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME Kellen Chevrolet, Inc.

STREET ADDRESS 500 EAST STATE BLVD.

CITY FORT WAYNE IN. PHONE # 484-5566

BY James L. Hamlin
REPRESENTATIVE SIGNATURE



FIREMAN'S FUND INSURANCE COMPANY
THE AMERICAN INSURANCE COMPANY
NATIONAL SURETY CORPORATION
ASSOCIATED INDEMNITY CORPORATION
AMERICAN AUTOMOBILE INSURANCE COMPANY

BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we, Kelley Chevrolet, Inc.
500 East State, Fort Wayne, IN 46805
as Principal, hereinafter called the Principal, and
Fireman's Fund Insurance Company

a corporation duly organized under the laws of the State of California
as Surety, hereinafter called the Surety, are held and firmly bound unto City of Fort Wayne
City-County Building, Room 350
1 Main Street
Fort Wayne, IN
as Oblige, hereinafter called the Oblige, in the sum of Five Percent (5%) of Maximum Bid -----
Dollars (\$-----)

for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for Supplying One (1) 1991 Chevrolet 1/2 Ton Pickup Truck

NOW, THEREFORE, if the Oblige shall accept the bid of the Principal and the Principal shall enter into a contract with the Oblige in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or contract documents with good and sufficient surety for the faithful performance of such contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such contract and give such bond or bonds, if the Principal shall pay to the Oblige the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Oblige may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 15th day of November

A.D. 1990

James L. Hove
(Witness)

KELLEY CHEVROLET, INC.

(Principal)

(Seal)

BY: *Fleet Manager*
(Title)

Marie C. Combs
(Witness)

Fireman's Fund Insurance Company

(Surety)

(Seal)

BY: *Jannett K. Yuhas*
Jannett K. Yuhas

Attorney in fact

GENERAL
POWER OF
ATTORNEY

FIREMAN'S FUND INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS: That FIREMAN'S FUND INSURANCE COMPANY, a Corporation duly organized and existing under the laws of the State of California, and having its principal office in the County of Marin, State of California, has made, constituted and appointed, and does by these presents make, constitute and appoint

HARRY A. CRAWFORD, RONALD J. HARRUFF, LEONARD B. KOELLER, JAMES E. VAN DYCK, HAROLD E. EVERETT, DUWAN F. TAGTMEYER, JEFFREY C. JOHNSON, CONNIE S. OVERHOLSER, LORETTA A. SPRING, SUZANNE HOPPER, CARLA J. McQUEEN, VICKI L. LEININGER and JANNETT K. YUHAS
FORT WAYNE, IN jointly or severally
its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, seal, acknowledge and deliver any and all bonds, undertaking, recognizances or other written obligations in the nature thereof

and to bind the Corporation thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the Corporation and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises.

This power of attorney is granted pursuant to Article VII, Sections 45 and 46 of By-laws of FIREMAN'S FUND INSURANCE COMPANY now in full force and effect.

"Article VII. Appointment and Authority of Resident Secretaries, Attorney-in-Fact and Agents to accept Legal Process and Make Appearances.

Section 45. Appointment. The Chairman of the Board of Directors, the President, any Vice-President or any other person authorized by the Board of Directors, the Chairman of the Board of Directors, the President or any Vice-President may, from time to time, appoint Resident Assistant Secretaries and Attorneys-in-Fact to represent and act for and on behalf of the Corporation and Agents to accept legal process and make appearances for and on behalf of the Corporation.

Section 46. Authority. The authority of such Resident Assistant Secretaries, Attorneys-in-Fact and Agents shall be as prescribed in the instrument evidencing their appointment. Any such appointment and all authority granted thereby may be revoked at any time by the Board of Directors or by any person empowered to make such appointment."

This power of attorney is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of FIREMAN'S FUND INSURANCE COMPANY at a meeting duly called and held on the 7th day of August, 1984, and said Resolution has not been amended or repealed:

"RESOLVED, that the signature of any Vice-President, Assistant Secretary, and Resident Assistant Secretary of this Corporation, and the seal of this Corporation may be affixed or printed on any power of attorney, on any revocation of any power of attorney, or on any certificate relating thereto, by facsimile, and any power of attorney, any revocation of any power of attorney, or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Corporation."

IN WITNESS WHEREOF, FIREMAN'S FUND INSURANCE COMPANY has caused these presents to be signed by its Vice-President, and its corporate

seal to be hereunto affixed this 25th day of August, 19 89.



FIREMAN'S FUND INSURANCE COMPANY

By

R. D. Farnsworth

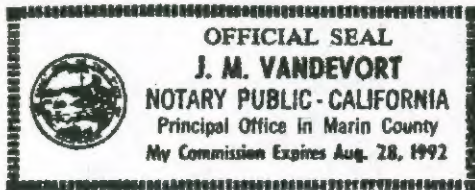
Vice-President

STATE OF CALIFORNIA
COUNTY OF MARIN

ss.

On this 25th day of August, 19 89, before me personally came R. D. Farnsworth to me known, who, being by me duly sworn, did depose and say: that he is Vice-President of FIREMAN'S FUND INSURANCE COMPANY, the Corporation described in and which executed the above instrument; that he knows the seal of said Corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation and that he signed his name thereto by like order.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year herein first above written.



J. M. Vandevort

Notary Public

CERTIFICATE

STATE OF CALIFORNIA
COUNTY OF MARIN

ss.

I, the undersigned, Resident Assistant Secretary of FIREMAN'S FUND INSURANCE COMPANY, a CALIFORNIA Corporation, DO HEREBY CERTIFY that the foregoing and attached POWER OF ATTORNEY remains in full force and has not been revoked; and furthermore that Article VII, Sections 45 and 46 of the By-laws of the Corporation, and the Resolution of the Board of Directors; set forth in the Power of Attorney, are now in force.

Signed and sealed at the County of Marin. Dated the 15th day of November, 19 90.



Loretta E. Antley

Resident Assistant Secretary

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.3)
(Please type or print)

Date: _____

1. Governmental Unit: CITY OF FORT WAYNE

2. County: ALLEN

3. Bidder (Firm): KELLEY CHEVROLET

Address: 500 EAST STATE BLVD.

City/State: FORT WAYNE IN. 46805

4. Telephone Number: 219-484-5566

5. Agent of Bidder (if applicable): _____

Pursuant to notices given, the undersigned offers bid(s) to CITY OF FORT WAYNE (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

James L. Nowlin
Signature of Bidder or Agent

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount
	1	CHEVROLET	1500 W/T 1/2 TON	\$10,902.38	\$10,902.38

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
) SS:
ALLEN COUNTY)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

Kelley Chevrolet
Bidder (Firm)

James L. Nowlin
Signature of Bidder or Agent

Subscribed and sworn to before me this 7th day of NOV, 1990.

My Commission Expires: 05/27/91

County of Residence: ALLEN

Casey J. Jones
Notary Public
Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered _____ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Members:

Date: _____

SPECIFICATIONS FOR ONE (1) NEW 1991 ONE-HALF (1/2) TON, REGULAR CAB, 2-WD PICK-UP TRUCK, INCLUDING ALL STANDARD EQUIPMENT AS LISTED IN THE MANUFACTURER'S LITERATURE UNLESS SUPERSEDED BY ANY OF THE FOLLOWING SPECIFICATIONS LISTED HEREIN. ANY EXCEPTIONS TO THE SPECIFICATIONS OR WARRANTY MUST BE STATED:

1. YEAR:	1991	MEET SPECS <u>Yes</u>
2. MODEL:	2 WHEEL DRIVE PICK-UP	<u>Yes</u>
3. ENGINE:	MINIMUM 3.9L SIX (6) CYLINDER	<u>4.3L-V6</u>
4. TRANSMISSION:	MINIMUM 3 SPEED AUTOMATIC	<u>4 Speed w/o.D.</u>
5. STEERING:	POWER RACK & PINION	<u>Yes</u>
6. WHEEL BASE:	MINIMUM 131.0"	<u>131.5</u>
7. BRAKES:	POWER ASSIST FRONT	<u>Yes</u>
8. AIR CONDITIONER:	FACTORY-INSTALLED	<u>Yes</u>
9. REAR STEP BUMPERS:	FACTORY-INSTALLED, PAINTED	<u>Yes</u>
10. PAINT:	STANDARD PRODUCTION COLOR	<u>Yes</u>
11. SEATS:	BENCH SEAT, CLOTH	<u>Yes</u>
12. RADIO:	AM/FM RADIO	<u>Yes</u>
13. RUSTPROOFING:	PER FED-STD-297D DATED OCTOBER 1, 1985	<u>Yes</u>
14. OVER ALL LENGTH:	MINIMUM 210.2"	<u>212.6</u>
15. CARGO BOX:	MINIMUM 8' LONG	<u>Yes</u>
16. TIRES:	MINIMUM P225/75RX15 BSW, ALL-SEASON STEEL BELTED RADIAL. FULL SIZE SPARE TIRE OF SAME SPEC.	<u>Yes</u>
17. GLASS:	TINTED	<u>Yes</u>
18. MIRRORS:	DUAL OUTSIDE MIRRORS	<u>Yes</u>
19. BATTERY:	HEAVY DUTY W/APPROPRIATE ALTERNATOR, STATE AMPERAGE	<u>Yes</u>
20. MANUALS:	ONE SERVICE MANUAL FOR EACH VEHICLE	<u>Yes</u>
21. WARRANTIES:	GIVE DESCRIPTION OF ALL WARRANTIES AND COMPONENT WARRANTIES AVAILABLE	<u>3year 50,000m</u>
	FOB: FORT WAYNE	
	MAKE:	<u>Chevrolet</u>
	MODEL:	<u>1500 1/2 TON</u>

COST PER TRUCK:

\$ 11,602.38

LESS DISCOUNT:

\$ 700.00

TOTAL:

\$ 10,902.38

DELIVERY TIME ARO:

6-8 WEEKS A.R.

VALIDITY OF BID PRICE:
(IN CALENDAR DAYS)

60 OR UNTIL
G.M. RAISES PRICES

ALTERNATE BID:

NEW 1990 TRUCK OF COMPARABLE SPECS.:

FOB: FORT WAYNE
MAKE:

Chevrolet

MODEL:

1500 WT.

COST PER TRUCK:

\$ 11,800.75

LESS DISCOUNT:

\$ 1,219.75

TOTAL:

\$ 10,581.00

DELIVERY TIME ARO:

Immediately

VALIDITY OF BID PRICE:
(IN CALENDAR DAYS)

UNTIL UNIT IS SOLD

ONE UNIT IN STOCK, Red in color, Red Cloth:
Interior. Bid Price Good ONLY while unit
is on our lot AND UNSOLD. Delivery time
immediately

James L. Fowler
Fleet Manager

Read the first time in full and on motion by Henry, seconded by Silvers, and duly adopted, read the second time, title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____ of _____, 19____, at _____ o'clock _____ M., E.S.

DATED: 12-11-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Henry, seconded by Silvers, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>7</u>			<u>2</u>
BRADBURY	<u>✓</u>			
BURNS	<u>✓</u>			
EDMONDS	<u>✓</u>			
GIAQUINTA				
HENRY	<u>✓</u>			
LONG				
REDD	<u>✓</u>			<u>✓</u>
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 12-18-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) _____ (APPROPRIATION) _____ (GENERAL) _____ (SPECIAL) _____ (ZONING MAP) _____ ORDINANCE RESOLUTION NO. S 320-90 on the 18th day of December, 1990,

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

ATTEST
SEAL
Charles S. Reed
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 19th day of December, 1990 at the hour of 2:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 19th day of December 1990, at the hour of 4:00 o'clock P.M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

BILL NO. S-90-12-03

REPORT OF THE COMMITTEE ON FINANCE

THOMAS C. HENRY, CHAIRMAN
DONALD J. SCHMIDT, VICE CHAIRMAN
BRADBURY, BURNS, GiaQUINTA

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) approving the awarding of
Reference #1435 by the City of Fort Wayne, Indiana, by and
through its Department of Purchasing and KELLEY CHEVROLET, INC.
for Community & Economic Development

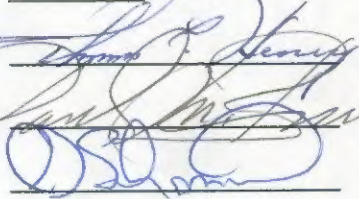
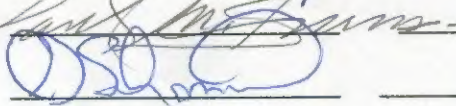
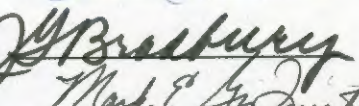
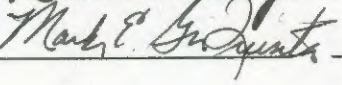
HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

DATED: 12-18-90

Sandra E. Kennedy
City Clerk

DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Ref. No. 1435 for the purchase of a pick-up truck for Community & Economic Dev. The cost reflects the most responsive of one (1) vendor.

IF NOT LOWEST, WHO WAS AND WHY WERE THEY NOT AWARDED:

EFFECT OF PASSAGE: One new 1991 1/2 ton, regular cab, 2 wd pick-up truck.

IF REPLACEMENT, WHAT NECESSITATES:
N/A

S-90-12-03

EFFECT OF NON-PASSAGE: The procedures of the Plan Commission and the Board of Zoning Appeals relies heavily on public input. One of the means to assume that public input is to post real-estate sized signs on those properties undergoing the public hearing process. A full months case load could entail the posting of up to 30 signs. Passenger style vehicles, used in the past, are not suited for carrying those signs. The truck would also be used for inspection of construction sites relative to the commercial routing procedure.

PRIOR APPROVAL REQUESTED: N/A

MONIES INVOLVED: Kelley Chevy \$10,902.38

PRICE AGREEMENT:

PURCHASE ORDER: Yes

SOURCE OF FUNDING: C & E D 010-008-OFFC-4441

PRIOR APPROVAL:
(IF APPLICABLE)

DATE: